

Testimony on HB5011

June 3, 2009

Thank you committee members for taking up this important piece of legislation. Thank you to Rep Constan for introducing this bill which OSA wholeheartedly supports. As the lead agency in working with the Governor's Task Force on Elder Abuse, we strongly urge a favorable vote by the committee on this bill. The Elder Abuse Task Force recognized that older adults are often in a position where they must rely on assistance from a family member or a close friend. Most who provide this kind of support do so as a labor of love. Unfortunately there are some who are unscrupulous and take advantage of a vulnerable older adult.

When physical or mental abuse, or financial exploitation occurs, the older adult may be reluctant or unable to sign a complaint. As with victims of domestic violence, they may fear retribution, or may well see no other options for housing or care if they are dependant on the person who may be providing housing or care for them. In addition, older adults may be trusting and not willing to believe or accept that a loved one, or the friendly man or woman who offers to help out is really exploiting them or causing them harm.

Representatives, this is déjà vu for me. This bill mirrors PA 70 of 1994, my legislation which called for a magistrate to accept a complaint for domestic violence from someone other than the victim if there is information and belief that a crime was committed. The rationale is similar for HB5011 and the language mirrors the language in PA 70 of 1994.

If a family member, friend or neighbor witness abuse or financial exploitation and can file a complaint, it may serve as a deterrent, putting the perpetrator on notice that what they have done can't be hidden simply because the victim can't or won't be a complainant. It offers an opportunity for justice to be done.

Thank you for taking up this bill.

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